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Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, NW, Room TW-A325
Washington, DC 20554

**Re: Emery Telecommunications & Video, Inc.
Quarterly TTY Implementation Report
CC Docket 94-102**

Dear Ms. Dortch:

On behalf of Emery Telecommunications & Video, Inc. ("Emery"), and pursuant to the directive contained in the Commission's *Fourth Report and Order* in CC Docket No. 94-102, FCC 00-436 (*rel.* December 14, 2000), we are submitting its Quarterly Report addressing the requirements for digital wireless systems to provide TTY access to 911 emergency calling systems.

Please refer any inquiries or correspondence in connection with this matter to our offices.

Very truly yours,



John A. Prendergast
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Counsel to Emery Telecommunications
& Video, Inc.

Emery Telecommunications & Video, Inc.
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October 15, 2002

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Quarterly TTY Implementation Report and Request for Waiver*
CC Docket No. 94-102
Broadband PCS Stations WPOK951 and WPOK952
BTA168: Grand Junction, Colorado
BTA399: Salt Lake City – Ogden, Utah

Dear Ms. Dortch:

Emery Telecommunications & Video, Inc. ("Emery") hereby submits its quarterly report on implementation of Text Telephone ("TTY") access to E911 over its digital wireless network, pursuant to the Commission's *Fourth Report and Order* in CC Docket No. 94-102, *released* December 14, 2000.

Broadband PCS Station WPOK951
BTA168: Grand Junction, Colorado

Emery launched its service on this system in November, 2001. Subsequent to its launch, Emery has entered into an agreement to assign the license for station WPOK951 to San Isabel Telecom, Inc. That application, FCC File No. 0000782012, was granted July 9, 2002, but the assignment has not yet been consummated.

Emery is coordinating its TTY compliance efforts in regard to this station with San Isabel, and thus hereby joins in with the E911 TTY Report being filed concurrently by San Isabel. On June 28, 2002, Emery joined in a request for extension of time filed by San Isabel. Emery was informed by San Isabel that its handset manufacturer, Kyocera, would not have TTY-capable handsets available to purchase in quantities over one hundred until late summer or early fall 2002. Accordingly, on June 28, 2002, Emery amended its pending Petition for Waiver to request a fifteen-month deferral of each of the penetration benchmarks.

Broadband PCS Station WPOK952
BTA399: Salt Lake City – Ogden, Utah

In accordance with Section 20.18(a) of the Commission's rules, Emery is not required to provide TTY access to 911 services in regard to station WPOK952 because it is not currently offering cellular-like mobile service. Commission Rule Section 20.18(a) states that:

The following requirements are only applicable to Broadband Personal Communications Services (Part 24, Subpart E of this chapter), Cellular Radio Telephone Service (Part 22, Subpart H of this chapter), and

Geographic Area Specialized Mobile Radio Services and Incumbent Wide Area SMR Licensees in the 800 MHz and 900 MHz bands (included in Part 90, Subpart S of this chapter). In addition, service providers in these enumerated services are subject to the following requirements solely to the extent that they offer real-time, two way switched voice service that is interconnected with the public switched network and utilize an in-network switching facility which enables the provider to reuse frequencies and *accomplish seamless hand-offs of subscriber calls.*

47 C.F.R. § 20.18(a).

Emery is currently offering fixed wireless local loop services over its Broadband Personal Communications Station WPOK952. Since Emery's system does not hand-off subscriber calls, Emery is not required to implement TTY access to 911 service.

Respectfully submitted,

Emery Telecommunications & Video, Inc.

By: _____


Gregory Killpack
General Manager